



**U.S. Department of Justice
U.S. Attorney's Office
Western District of Texas**

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FOR IMMEDIATE RELEASE

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**OSVALDO ALDRETE DAVILA INDICTED AND ARRESTED ON DRUG
SMUGGLING CHARGES**

United States Attorney Johnny Sutton announced today that twenty-seven-year-old Osvaldo Aldrete Davila was arrested today at the Ysleta Port of Entry in El Paso, Texas. Aldrete was indicted on October 17, 2007, by an El Paso federal grand jury on two counts of possession with the intent to distribute a controlled substance, one count of conspiracy to import a controlled substance and one count of conspiracy to possess a controlled substance with intent to distribute. His initial appearance is set for tomorrow at 2:30 p.m. (MST) before United States Magistrate Judge Richard Mesa.

According to the indictment, beginning on or about June 1, 2005, through November 30, 2005, Aldrete and his co-defendant Cipriano Ortiz Hernandez conspired to import and to possess with the intent to distribute more than 100 kilograms of marijuana. Additionally, on September 24, 2005, and then again on October 22 and 23, 2005, Aldrete-Davila did possess with the intent to distribute more than 100 kilograms of marijuana.

Aldrete gained notoriety for being the unarmed drug smuggler who was shot in the buttocks by former Border Patrol Agents Jose Compean and Ignacio Ramos as he fled from them. "Just as Aldrete's alleged illegal conduct did not excuse the crimes committed by Compean and Ramos, likewise, their crimes will not excuse his," stated United States Attorney Johnny Sutton.

Department of Homeland Security Inspector General Richard L. Skinner, commented on today's arrest and earlier indictment saying, "I commend the DEA and their special agents for their tenacious investigation of this case. We were pleased to assist them in this effort and remain ready to support their investigation of these very serious allegations to ensure that the interests of justice are met in this case."

Upon conviction Aldrete faces between five and forty years in federal prison and up to a \$2 million fine. This case was investigated by the Drug Enforcement Agency and the Department of Homeland Security Office of the Inspector General. It is being prosecuted for the government by Assistant United States Attorney John Gibson.

An indictment is a formal accusation of criminal conduct, not evidence of guilt. The defendant is presumed innocent unless and until convicted through due process of law.

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